

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

Case No. 23-cr-20242

v.

Hon. Mark A. Goldsmith
United States District Judge

Caleb Wesley Andrews,

Defendant.

**STIPULATION TO ADJOURN PRETRIAL AND TRIAL DATES AND TO
EXCLUDE TIME UNDER THE SPEEDY TRIAL ACT**

The parties, by their respective counsel, stipulate that the motion cut-off, plea hearing, final pretrial conference, and trial dates be adjourned for approximately 30 days. The parties agree that such an adjournment serves the ends of justice and outweighs the best interest of the public and the defendant in a speedy trial because the defense needs time to obtain and review discovery, which includes several warrants to review, engage in plea discussions, which could resolve all the issues in this case, or alternatively, prepare for trial. The parties agree, and ask the court to find, that the amount of time between the current trial date of December 12, 2023, and the new trial date to be determined by the Court be excluded, under 18 U.S.C. § 3161(h)(7)(A), from calculating the amount of time in which the defendant must be tried under the Speedy Trial Act.

IT IS SO STIPULATED.

Respectfully submitted,

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Dated: November 14, 2023

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

United States of America,

Plaintiff,

Case No. 23-cr-20242

v.

Hon. Mark A. Goldsmith
United States District Judge

Caleb Wesley Andrews,

Defendant.

**ORDER ADJOURNING THE PLEA CUT-OFF AND TRIAL DATES AND
FINDING EXCLUDABLE DELAY UNDER THE SPEEDY TRIAL ACT**

The Court has considered the parties' stipulation and joint motion to continue the trial, the final pretrial conference, the plea cut-off date, and the motion cut-off date for approximately 30 days and for a finding that the time period from December 12, 2023 to the new trial date qualifies as excludable delay under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7). For the reasons described in the parties' submission, and after considering the factors listed in § 3161(h)(7)(B), the Court finds that the ends of justice served by granting the parties' requested continuance outweigh the best interests of the public and the defendant in a speedy trial and that the time from December 12, 2023 to the new trial date qualifies as excludable delay under § 3161(h)(7).

IT IS THEREFORE ORDERED that the dates in this matter are reset as follows:

Motion Cutoff is reset for December 18, 2023;

Plea Cutoff is reset for January 9, 2024 at 2:30 p.m.;

Final Pretrial Conference is reset for January 9, 2024 at 2:30 p.m.; and

Jury Trial is reset for January 23, 2024 at 8:30 a.m.

IT IS FURTHER ORDERED that the time between December 12, 2023, and January 23, 2024 is excludable pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), because considering the factors in 18 U.S.C. § 3161(h)(7)(B) along with the parties' stipulation that the adjournment will provide additional time to obtain and review discovery with counsel, contemplate pretrial motions and engage in plea negotiations, the Court finds that the ends of justice served by this delay outweigh the best interest of the defendant and the public in a speedy trial.

IT IS SO ORDERED.

Dated: November 15, 2023
Detroit, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge